

OR 7398

2-3-83

4a

RCRA VIOLATION ASSESSMENT

C.W. Rice, EPS

Name & Title of Evaluator

2/3/83

FILE COPY

Van Waters & Rogers3950 NW Yeon AvePortland, OR 97210

Establishment Name and Address

ORD 009227398

Facility ID Number

GDB, DEQ

Inspector/Lead Agency

7/27/82

Date of Inspection

8/2 3

Status (See other side)

G, T, TSD

ACTION TAKEN	
<input checked="" type="checkbox"/>	No Action Indicated
<input type="checkbox"/>	Letter of Warning
<input type="checkbox"/>	Referral For Admin. Civil Penalty
<input type="checkbox"/>	Referral For Criminal Action
<input type="checkbox"/>	Refer to State
HWDMS DATA ENTRY	
<input checked="" type="checkbox"/>	Initial 2-8-83 jwf
<input checked="" type="checkbox"/>	Compliance Review 2-8-83 jwf

Comments: State has RCRA program. Violations of state requirements noted; manifest deficiencies

USEPA RCRA



3019419

Concur

Date

Do Not Concur

Date

- 0 = IN COMPLIANCE
- 1 = NON-COMPLIANCE, CLASS 1 (ENVIRONMENTAL IMPACT)
- 2 = NON-COMPLIANCE, CLASS 2 (STATUTORY)
- 3 = NON-COMPLIANCE, CLASS 3 (ADMINISTRATIVE)
- 4 = NON-COMPLIANCE, CLASSES 1 AND 2
- 5 = NON-COMPLIANCE, CLASSES 1 AND 3
- 6 = NON-COMPLIANCE, CLASSES 2 AND 3
- 7 = NON-COMPLIANCE, CLASSES 1, 2, AND 3
- 8 = ENTRY INACTIVE, RETAINED FOR REFERENCE
- 9 = NON-COMPLIANCE (STATE USE ONLY)



STATE OF OREGON

INTEROFFICE MEMO

To: Al Goodman -
EPA-ORD

TO: Hazardous Waste Section

DATE: August 20, 1982

FROM: GDB

SUBJECT: HW - Van Waters & Rogers, Division of Univar
ORD 009227398 (HWTF 5)
Multnomah County

Major TSD

Non-Compliance
Manifest Discrepancies

On July 27, 1982, an inspection was made of the above referenced facility with the following findings:

1. Record Review: Facility failed to report HW shipments received by Chem-Security systems, Inc, on May 25, 1982, with manifest numbers 43343, 43345 and 43346. Facility received HW shipments from generators with manifests that were in non-compliance with OAR 340-63-425, (see quarterly report for the months of April through June 1982). This company indicates they "assist" the generator in manifesting/labeling HW for shipment. Facility received corrosive and ignitable wastes during the quarter for storage - unable to track to authorized treatment or disposal facility.
2. Hazardous Waste Storage: No leaking containers observed at time of inspection. Drums are stored in an orderly manner. Labels on some drums from HW generators were noted to be incomplete as were some manifests. Ignitable waste minimum separation distances must be clarified with Portland Fire Bureau.
3. Waste Analysis: Each shipment of HW received for treatment is analyzed.
4. Inspection procedure: Appears adequate.
5. Preparedness and prevention: No problems observed.
6. Permit conditions (HWTF 5)
 - C3. Requirement that licensee establish financial assurance for closure by July 13, 1981. Not received as of this date. See letter from facility dated July 12, 1982.

Conclusion and recommendations:

Current manifest practice by facility does not lend itself to clear cradle to grave tracking of HW. Facility does not fully comply with OAR 340-63-425, 340-63-430. It is suggested a meeting with facility be scheduled to delineate problem areas and pursue a course of action to resolve same.

/emc



STATE OF OREGON

HW802 TSD
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/emc



STATE OF OREGON

INTEROFFICE MEMO *HW 8.20*

TO: Rich Reiter through TRB, CHG

done DATE: August 5, 1982

FROM: GDBaesler *GDB*

Solid Waste Division
Dept. of Environmental Quality

RECEIVED
AUG 12 1982

SUBJECT: HW - Manifest Requirements

During a recent inspection, a discussion took place concerning hazardous waste manifest requirements of the Department. There appear to be some points that need to be clarified on proper manifesting and a written policy developed. My impression of how the manifest system should work is as follows:

1. Since the manifest system establishes confirmation of proper cradle to grave hazardous waste management, it seems reasonable to expect that generator responsibility for hazardous waste does not end until either treatment or disposal occurs (this is how we treat sewage sludge).
2. A generator of hazardous waste who transports HW to a hazardous waste treatment, collection, storage or disposal facility remains the generator. If the HW is treated in an approved process the generator's responsibility ends, as it does when the HW is disposed of at an approved disposal site, (we don't have to go far back in time to find a case where generators delivered their HW to a treatment facility, in good faith, only to later end up expending more money for clean-up and proper disposal).

Question: What constitutes treatment? Is treatment a process approved by the Department or is it the act of receiving HW for treatment - whether or not it is later treated?

Example #1 TSDF(A) receives HW from generator(X) for Department approved treatment. TSDF(A) later samples HW and determines it is not treatable. Having already signed off the generator(X) manifest, TSDF(A) assigns itself as generator and manifests HW for disposal.

Example #2: TSDF(A) receives HW from generator(X) for which no Department approved treatment has been granted. TSDF(A) signs off a manifest for generator(X). Since manifests do not indicate what the disposition is of the material, i.e. treatment, storage or disposal, generator(X) may assume it has been properly treated or disposed of. TSDF(A) then designates itself as generator and manifests the HW to either TSDF(B) or to a hazardous waste disposal site.

Without belaboring the point, my opinion is that in both examples generator (X) is the generator and as such must confirm where and when his HW was either treated or disposed. If generator(X) does less than this it appears to me that the entire manifest requirement is an ineffective regulatory tool. Also, it seems reasonable to me that TSDF(A) indicate to generator(X) where and when the HW was either treated or disposed of.

cc: File

inter office memo

To: Rick [signature]

8/25/82

From: W.D. Hartford

Subject: Manifest requirements by TS facilities

reference key provisions of license:

(B10) The licensee shall not accept a manifested shipment of hazardous waste unless the collection or treatment facility is designated as the receiver on the manifest. All hazardous waste shipments equal to or greater than 2000 lbs (250 gal.) must be manifested.

(B12) All containers of waste received for collection, storage and/or treatment shall be identified sufficiently to assure rapid positive identification of the contents of those containers. waste that cannot be treated shall be considered as the licensee's waste and marked with the date when such determination was made.

Condition B12, when it was modified ~~for~~ to include collection, may be misinterpreted. The intent for treatment facilities was to encourage prior testing of shipments for treatment. The way this condition now reads, with the insertion of "collection, storage," ~~but~~ it could be construed to mean all waste shipped

licensee's waste of ~~and~~ re-manifested.

~~With stating of myself~~

Two options seem to be possible to rectify this license condition.

(1) re-open the license of ~~and~~ clarify condition

B 12 or,

(2) meet with Van Water of Rogers & reach an agreement to provide better identification and tracking of waste shipments.

another brief topic on manifesting -

(1) Each time an inspection is made by the agency several random manifests, as returned by the TSD facility to the generator, should be inspected ~~of completeness~~ for completeness of accuracy. Particularly waste type descriptions, ~~and~~ UN/NA numbers etc.

I would suggest that a short 10 minute meeting be held ~~by you with attendees~~ ^{with} Greg Baesch, Steve Sanders & myself ~~of you as attendees~~ to decide how to handle the above situation with VWR.

- B10. The licensee shall not accept a manifested shipment of hazardous waste unless the collection or treatment facility is designated as the receiver on the manifest. All hazardous waste shipments equal to or greater than 2000 pounds (250 gallons) must be manifested.
- B11. The licensee shall not accept a waste which is not adequately identified or labeled.
- B12. All containers of waste received for collection, storage and/or treatment shall be identified sufficiently to assure rapid positive identification of the contents of those containers. Wastes that cannot be treated shall be considered as the licensee's waste and marked with the date when such determination was made.
- B13. Storage containers shall not react with the waste to be stored in the containers.
- B14. Incompatible wastes shall not be placed in the same container.
- B15. Containers shall always be closed during storage except when adding or removing wastes.
- B16. Waste generated due to treatment shall be adequately labeled, including date of generation.
- B17. The licensee shall transport to an E.P.A. or state authorized disposal site any untreatable waste or treated waste residue within fifteen (15) days of the accumulation of one hundred and five (105)--55 gallon barrels of ignitable, corrosive, or toxic waste or equivalent (i.e. 6000 gallons if shipped in bulk) on-site. This waste shall be properly manifested.
- B18. Wastes which are in leaking or damaged containers shall be adequately repackaged before being placed in storage or transported off-site.
- B19. The licensee shall maintain a physical separation of ignitable wastes or materials from all other wastes or materials to an extent that if the ignitable wastes or materials exploded or caught fire, the integrity of the other wastes or materials would be preserved and no toxic liquids, solids or gases would be emitted into the environment. The plan must be approved by the State Fire Marshal's Office and the approved plan made a part of the contingency plan and emergency procedures required by Condition A6e.
- B20. The licensee shall designate an environmental officer and shall advise the Department of the name and qualifications of the environmental officer. The environmental officer shall be in charge of all activities at the site. The licensee shall immediately notify the Department if any change is made in this designated individual.
- B21. The licensee will not allow any open burning of material on this site. This is an established policy of Van Waters & Rogers.
- B22. The licensee shall conduct chemical and biological environmental monitoring in accordance with a program designed jointly with the Department. This program will be reviewed annually by both parties.

- B23. The licensee shall use its E.P.A. Identification Number on all applications, notifications, reports, manifests, or other required records dealing with hazardous wastes.
- B24. The licensee shall construct and complete within sixty (60) days of issuance of this license a spill prevention berm for the hazardous material collection and treatment facility covered by this license. Within thirty (30) days after issuance of this license, detailed plans shall be submitted to DEQ for review and approval prior to start of construction. DEQ will approve, modify or disapprove these plans within five (5) working days after their submission. The plans to be submitted shall be of engineering quality.

C. FINANCIAL

- C1. Until midnight, July 12, 1981, the licensee shall maintain sudden and accidental liability insurance for operation of the site, with respect to all types of wastes, in the amount of not less than \$300,000. Such insurance shall also be maintained by the licensee in the amount of not less than \$1,000,000 to cover transportation by the licensee of wastes to and from the site. The licensee shall notify the Department by Certificate of Insurance within seven (7) days of any new policy or policy change and shall provide a certified copy of such policy or policy change within 90 days. All such insurance policies shall provide that such insurance shall not be cancelled or released except upon 30 days' prior written notice to the Department.
- C2. Effective July 13, 1981, the licensee shall maintain sudden and accidental liability insurance for operation of the site, with respect to all types of wastes, in the amount of at least \$1,000,000 per occurrence with an annual aggregate of at least \$2,000,000. Such insurance shall also be maintained by the licensee in the amounts specified above to cover transportation by the licensee of wastes to and from the site. The licensee shall notify the Department by Certificate of Insurance within seven (7) days of any new policy or policy change and shall provide a certified copy of such policy or change within 90 days. All such insurance policies shall provide that such insurance shall not be cancelled or released except upon 30 days' prior written notice to the Department.
- C3. Effective July 13, 1981, the licensee shall establish financial assurance for closure of the hazardous waste collection, storage or treatment facilities according to the plan required in Condition A6g. The amount, type and form of financial assurance shall be as stipulated by the Environmental Protection Agency in 40 CFR Part 265; Subpart H--Financial Requirements; Section 265.143; January 12, 1981.
- C4. The licensee shall pay the Department an annual license fee within 30 days after July 1 each year. The amount of such fee shall not exceed the cost incurred by the Department to meet its monitoring and surveillance activities of this license; and will be determined by the Department as part of its biennial budgeting process. The first annual license fee will be due July 1, 1983.

①
Department of Environmental Quality

Quarterly Hazardous Waste
Treatment and/or Collection Site Report

Van Waters & Rogers
3950 NW Yeon Ave.
P.O. Box 10287
Portland, OR 97210

Phone: 222-1721
Company Contact: Jack Johnston

I.D. No.: ORD 009227398

Visited on: March 16/82
Time: 12:30

By: Wm D. Hartford

Registration:

DEQ: Treatment/collection facility
EPA: Generator, storage

Principal business: Chemical distributor

Ancillary business: Handling of hazardous waste by:

- (1) Collection - customers only
- (2) Distillation - chlorinated solvents

No. of employees:

Still volume (last quarter): 2
15,000 gal/quarter

Environmental monitoring necessary at this inspection: Yes ☐ No ☒

cc: Rich Reiter, Hazardous Waste Operations, DEQ
Al Goodman, EPA
Van Waters & Rogers

Background:

1. Is company familiar with current DEQ and EPA hazardous waste rules?

yes

Are current rules available for reference? yes

2. Are the following plans and procedures adequate?

a. Waste analysis plan Discussion on updating plans
was held from 9:30 - 12:30. 5 to 10 people
update & will meet with Bill Hartford to review.

b. Site security plan

c. Inspection schedule plan and log

d. Preparedness and prevention plan

e. Contingency plan and emergency procedures

f. Personnel training procedure and log

g. Closure plan (including cost estimate)

3. Review last month's manifests/discuss last quarter's report to DEQ (discrepancies)? ok

Facility tour:

1. Waste analysis area

- a. Records complete? yes
- b. Frequency of analysis (pick two generators)? _____

2. Treatment/collection area

- a. Generator containers labeled? yes
- b. Separation of ignitable from non-ignitable? 19 barrels waiting for disposal
- c. Treatment residue containers labeled and dated from time of filling? yes
- d. Any leaking containers/appearance of spills? No
- e. Condition of container area (i.e., berm, cracks, etc.) organized & segregated as to waste type
- f. Safety equipment in place? yes
- g. Check log records okay

Other comments:

Report finished: W.D. Hartford 3/16/82

QRPTT.CS